

EXHIBIT C



EARTHJUSTICE

BOZEMAN, MONTANA DENVER, COLORADO HONOLULU, HAWAII
JUNEAU, ALASKA NEW ORLEANS, LOUISIANA OAKLAND, CALIFORNIA
SEATTLE, WASHINGTON TALLAHASSEE, FLORIDA WASHINGTON, D.C.
ENVIRONMENTAL LAW CLINIC AT UNIVERSITY OF DENVER
ENVIRONMENTAL LAW CLINIC AT STANFORD UNIVERSITY

July 1, 2004

Via Facsimile, Followed by U.S. Mail

Wayne D. Hettenbach
Wildlife and Marine Resources Section
Environment and Natural Resources Division
U.S. Department of Justice
Benjamin Franklin Station, P.O. Box 7369
Washington, D.C. 20044-7369

Re: *Washington Toxics Coalition v. EPA*
Case No. C01-0132C

Dear Wayne:

I am writing this letter to ask Environmental Protection Agency ("EPA") to intervene in a controversy that has arisen in Washington State over the scope of the buffers and the noxious weed exemption in the Court's January 22, 2004 Order. The Washington Department of Ecology has issued a permit that would allow aquatic applications of 2,4-D, one of the pesticides subject to the Order's buffers. We objected to this permit in a letter dated May 21, 2002, which we also sent to you and which is attached.

It appears that the Department of Ecology is intending to retain the permit, which would authorize aquatic applications this month. As stated in our May 21, 2002 letter, we believe the permit is in violation of the January 22, 2004 Order. We ask that EPA intervene in this dispute and direct the Department of Ecology to rescind the permit. If we do not obtain satisfactory resolution of this matter by July 12, 2004, we will seriously consider asking Judge Coughenour to clarify his Order in this regard.

Sincerely,

Patti Goldman
Attorney for Washington Toxics Coalition et al.

Enclosures
cc: Ron Lavigne